

August 29, 2003

Refer to: HSA-10/B-109A

Mr. Daniel J. Mushett
Interstate Timber Products Co.
111 Garnet Lane
Oak Ridge, Tennessee 37830

Dear Mr. Mushett:

Your recycled plastic offset block (P-Block) for use with strong steel post w-beam guardrail was accepted for use on the National Highway System (NHS) on November 7, 2002, (Federal Highway Administration (FHWA)) acceptance letter B109).

In your July 11, 2003, letter to Mr. Richard Powers of my staff you requested acceptance of a similar offset block for use with round wood posts, an alternative strong post w-beam guardrail system used by some State Departments of Transportation. You indicated that the modified block (PC-Block) is comprised of the same materials as the P-Block (50/48 blend of High Density Polyethylene (HDPE) and Low Density Polyethylene (LDPE) with 2 per cent blowing agent), but has modified dimensions to fit the round wood post. Specifically, the traffic face remains 4-inches wide and its effective depth has been retained at 7.65 inches, but the field side of the block has an approximate 3.5-inch radius to fit against the standard 7-inch diameter round wood posts. These details are shown on the enclosed drawing.

I agree that this block is acceptable for use with strong, round post w-beam guardrail installations on the NHS. Please note the following standard provisions that apply to FHWA letters of acceptance:

- This acceptance is limited to the crashworthiness characteristics of the offset block and does not cover its long-term durability.
- Any changes that may adversely influence the crashworthiness of the device will require a new acceptance letter.
- Should the FHWA discover that in-service performance reveals unacceptable safety problems, or that the device being marketed is significantly different from the version that was accepted, it reserves the right to modify or revoke its acceptance.
- You will be expected to certify to potential users that the blocks furnished have essentially the same chemical composition and geometry as that submitted for acceptance.
- To prevent misunderstanding by others, this letter of acceptance, designated as number B-109A shall not be reproduced except in full. This letter, and the documentation upon which this letter is based, is public information. All such letters and documentation may be reviewed at our office upon request.

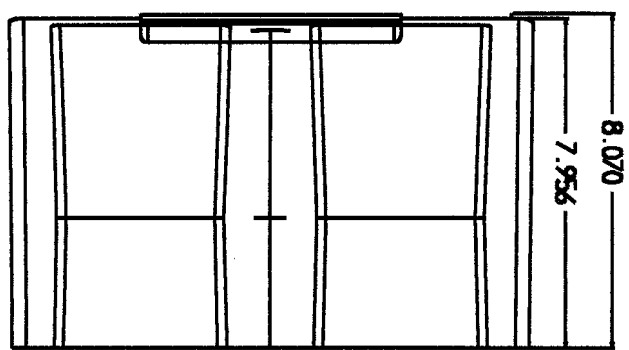
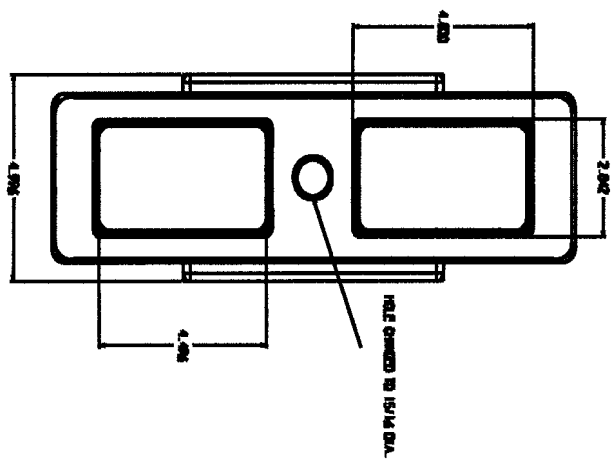
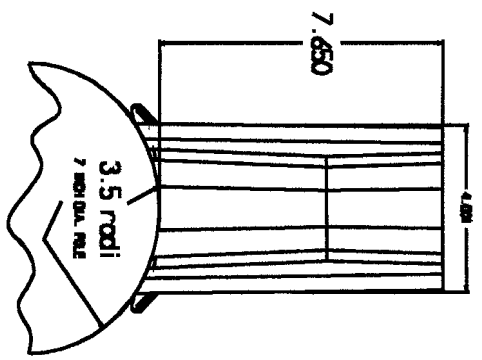
- If your product is patented, it cannot be specified for use on Federal-aid projects, except exempt, non-NHS projects. Our regulations concerning proprietary products are contained in Title 23, Code of Federal Regulations, Section 635.411, a copy of which is enclosed.

Sincerely yours,

(original signed by John R. Baxter)
John R. Baxter, P.E.
Director, Office of Safety Design
Office of Safety

2 Enclosures

BURKETT HOLDING, INC.
419-488-3303
FAX 419-488-3314
WWW.BURKETT HOLDING.COM



TITLE		PC-BLOCK	
DATE		DATE	
DRAWN BY		SCALE	
CHECKED BY		FULL	
ADVANTAGE MOLD 525 N. Woodling Street - Toledo OH, 43606 TEL: 419-488-3303 FAX: 419-488-3314 WWW.BURKETT HOLDING.COM			

Y
X

Sec. 635.411 Material or product selection.

(a) Federal funds shall not participate, directly or indirectly, in payment for any premium or royalty on any patented or proprietary material, specification, or process specifically set forth in the plans and specifications for a project, unless:

(1) Such patented or proprietary item is purchased or obtained through competitive bidding with equally suitable unpatented items; or

(2) The State highway agency certifies either that such patented or proprietary item is essential for synchronization with existing highway facilities, or that no equally suitable alternate exists; or

(3) Such patented or proprietary item is used for research or for a distinctive type of construction on relatively short sections of road for experimental purposes.

(b) When there is available for purchase more than one nonpatented, nonproprietary material, semifinished or finished article or product that will fulfill the requirements for an item of work of a project and these available materials or products are judged to be of satisfactory quality and equally acceptable on the basis of engineering analysis and the anticipated prices for the related item(s) of work are estimated to be approximately the same, the PS&E for the project shall either contain or include by reference the specifications for each such material or product that is considered acceptable for incorporation in the work. If the State highway agency wishes to substitute some other acceptable material or product for the material or product designated by the successful bidder or bid as the lowest alternate, and such substitution results in an increase in costs, there will not be Federal-aid participation in any increase in costs.

(c) A State highway agency may require a specific material or product when there are other acceptable materials and products, when such specific choice is approved by the Division Administrator as being in the public interest. When the Division Administrator's approval is not obtained, the item will be nonparticipating unless bidding procedures are used that establish the unit price of each acceptable alternative. In this case Federal-aid participation will be based on the lowest price so established.

(d) Appendix A sets forth the FHWA requirements regarding (1) the specification of alternative types of culvert pipes, and (2) the number and types of such alternatives which must be set forth in the specifications for various types of drainage installations.

(e) Reference in specifications and on plans to single trade name materials will not be approved on Federal-aid contracts.